

Decision _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Bahman Jamtoob,

Complainant,

vs.

Pacific Bell Telephone Company,

Defendant.

ECP
Case 02-02-026
(Filed February 19, 2002)

OPINION GRANTING PARTIAL RELIEF

Bahman Jamtoob (Complainant) alleges that Pacific Bell Telephone Company (Pacific) has failed to correctly bill him for labor charges for rewiring work performed by Pacific on June 22, 2001. The rewiring was necessary because a contractor performing remodeling work on complainant's property had cut four drop wires. Two Pacific technicians performed the rewiring work, filled out Pacific's Statement of Labor Charges form, and obtained the signature of Complainant's contractor on the form.

Complainant alleges that the Statement of Labor Charges form did not include the number of hours worked when his contractor signed it, and further claims that Pacific overstated (by three hours) the amount of time it took its technicians to complete work. Pacific asserts that the form contained the number of hours spent performing the work (three and one-half) when it was signed by

complainant's contractor. The amount in dispute is \$362. Public hearing was held April 19, 2001.

The contractor testified that he signed the Statement of Labor Charges form before the number of hours worked was recorded on the form. He said that he was present at the jobsite when the work was done and that it took about 30 minutes to complete the job. The balance of the time the technicians were at the jobsite they did no work.

Pacific did not have either technician at the hearing, but had an expert who testified that the nature of the job required two technicians, that the job was difficult, and the time expended was reasonable. The job required removing and replacing four wires which were damaged, and connecting them from the telephone pole in the street, through trees, to the residence, plus replacing the customer interface box. The expert testified that while three and one-half hours was reasonable for this job, depending on its difficulty the hours could have been less.

Pacific's tariff charges for this kind of work is \$33.25 per technician for the first 15 minutes and \$11.40 per technician for each additional 15 minutes. Pacific billed \$362 for the job. By complainant's estimate of 30 minutes to do the job, the proper charge is \$89.30. Complainant has deposited \$362 with the Commission.

The discrepancy in the time needed to complete the job may best be resolved by determining that the three and one-half hours spent on the job were total man hours, not individual. That lowers the charge from \$362 to \$203.30. (\$33.25 x 2 plus 45.60 x 3.)

O R D E R

IT IS ORDERED that:

1. Complainant shall pay to defendant \$203.30 in full payment for the work done on his property on June 22, 2001.
2. The money on deposit with the Commission shall be disbursed \$203.30 to defendant and \$158.70 to complainant.
3. This case is closed.

This order is effective today.

Dated _____, at San Francisco, California.